



3. As required by 28 U.S.C § 1446(a), RMR is providing true and complete copies of all the records and proceedings in the state court proceeding, which includes all process, pleadings, and orders served upon RMR. *See* Exhibits A and “B,” attached hereto.

4. This Notice of Removal is timely under 28 U.S.C. § 1446(b)(1), as it is being filed within 30 days after receipt of service to RMR.

5. Pursuant to 28 U.S.C. § 1446(d), RMR will promptly file a written Notice of Removal to Federal Court with the Clerk of the St. Clair County, along with a copy of this Notice of Removal.

6. Also pursuant to 28 U.S.C. § 1446(d), RMR will promptly serve this Notice of Removal, along with the Notice of Removal to Federal Court filed with the state court, upon Plaintiffs.

## **II. THIS COURT HAS FEDERAL DIVERSITY JURISDICTION.**

7. At the time this action was commenced, at the present time, and at all times material to this action, RMR was, is, and has been a Kentucky with its principal place of business in Fort Mitchell, Kentucky. *See* Complaint Original Petition ¶ 2; Email correspondence between Plaintiff’s counsel and RMR counsel, attached hereto as Exhibit “C.”

8. At the time this action was commenced and at all times material to this action, Plaintiffs Richard and Jennifer Clark were and have been residents of Union County, Illinois. Exhibit C.

9. Plaintiffs, RMR, and Sierra were not citizens of the same state at any time material to this action. Therefore, complete diversity of citizenship exists as required by 28 U.S.C. § 1332.

10. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000).  
*See* Exhibit C.

11. RMR has attempted to contact Sierra to determine whether it objects to removal. However, as of filing, Sierra has not yet been served, and no attorney has entered his or her appearance on behalf of Sierra. Due to the thirty (30) day deadline for filing removal, RMR is filing without having an opportunity to discuss the same with Sierra. Sierra will be served with copy of this Notice to the same address Plaintiffs served.

12. Jurisdiction is therefore proper in this Court pursuant to 28 U.S.C. § 1332(a)(1), which provides that the United States District Courts “shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and is between . . . citizens of different states.”

WHEREFORE, RMR respectfully removes this action from the St. Clair County, Illinois Court pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, and prays the Court docket this action in this Court, and grant it all other proper relief.

Dated: April 22, 2015.

Respectfully submitted,

/s/ Crystal S. Wildeman  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on this 22<sup>nd</sup> day of April, 2015, to the following via U.S. Regular Mail:

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